

## **MINUTES**

### **EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING**

**Tuesday, October 9, 2018**

**Eau Claire County Board Room**

**4:00 p.m.**

#### **PLEDGE OF ALLEGIANCE AND ROLL CALL**

Council Vice President/Acting President Werthmann called the meeting to order. The following members were present: Council Members Emily Anderson, Kate Beaton, Emily Berge, Jill Christopherson, Jeremy Gragert, David Strobel, Terry Weld and Andrew Werthmann. Council Members absent: Catherine Emmanuelle and Michael Xiong.

#### **CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, October 9, 2018:

- Adopting the Consent Agenda.
- Approving the Minutes of the September 25, 2018 Council Legislative Session.
- Authorizing Festival Foods to conduct the Festival Foods Turkey Trot on Thursday, November 22, 2018, at Hobbs Ice Arena and along city streets, trails and sidewalks.
- Authorizing the City of Eau Claire, Community Parks Association and Downtown Eau Claire, Inc. to conduct the Clearwater Winter Parade and Let it Glow! on Friday, November 30, 2018, at Phoenix Park and along Grand Avenue and First Avenue in Eau Claire.
- Granting new bartender licenses.
- Granting the renewal of the six-month Class “B” Fermented Malt Beverage license of Eau Claire Curling, Inc., d/b/a Eau Claire Curling Club, 5530 Fairview Drive, John Bast IV, Agent.
- Granting a temporary expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage and Class A Cabaret licensed premise of Eau Claire Fire House, d/b/a The Fire House, 202 Gibson Street, to include a fenced in area for a Wisctober Fest 2018, on October 13, 2018.
- Granting a temporary expansion of the Combination Class B Intoxicating Liquor and Fermented Malt Beverage and Class A Cabaret licensed premise of Larson Oakwood Business Park II, LLC, d/b/a Johnny’s Italian Steakhouse, 4751 Owen Ayres Court, for a 60’ x 40’ expansion onto the parking lot for a Neighborhood Business Block Party, on October 24, 2018.
- Granting a Temporary Class B Fermented Malt Beverage license to Sacred Heart of Jesus-St. Patrick Parish, Rev. Brian Jazdzewski, Pastor, on Sunday, November 4, 2018, from 10 a.m. to 2:30 p.m. at 322 Fulton Street, for the fall bazaar.
- Authorizing the Fire Department to apply for Department of Homeland Security grant monies administered through FEMA’s Assistance to Firefighters Program to purchase two Power Load Cot Systems and seven Chest Compression Systems.

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to adopt the consent resolution.” Said motion passed by unanimous vote.

## **PROCLAMATIONS**

Vice President Werthmann read a proclamation proclaiming pride in and congratulations to the Parks, Recreation and Forestry staff in earning the National Accreditation in Parks and Recreation, and further expressing appreciation for bringing to our community this commitment to the highest level of service.

Council Member Emmanuelle entered Council Chambers.

Vice President Werthmann read a proclamation proclaiming October 20, 2018 as Community Media Day and encouraging all people to promote the importance of community media and explore the training and programming available through the Eau Claire area's community media station, Valley Media Works, and to further express an appreciation for the role community media plays in bringing City government, namely these City Council proceedings, to the community.

## **LICENSES**

The City Council considered a resolution granting a Class B Fermented Malt Beverage license to MEK Crafts, LLC, d/b/a Board & Brush - Eau Claire, 1402 S. Hastings Way, Erin Klanderman, Agent. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson "to adopt the resolution." Said motion passed by unanimous vote.

## **CAPITAL IMPROVEMENT PLAN**

The City Council considered a resolution approving the 2019-2023 Capital Improvement Plan for the City of Eau Claire. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld "to adopt the resolution."

Thereupon a motion was offered by Council Member Berge and seconded by Council Member Beaton "to amend the 2019-2023 Capital Improvement Plan for Fund 441 Transportation Improvements changing the description for Project #441-015 "Putnam Street Quiet Zone" to "Railroad Crossing Safety Improvements" and adding \$600,000 in 2021 for this project." Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Berge and seconded by Council Member Beaton "to amend the 2019-2023 Capital Improvement Plan for Fund 450 Parks & Recreation by adding \$20,000 in 2019 to develop a plan for improvements to the park in the Princeton Valley subdivision. To accommodate this new project, project #450-004 -Owen Park Well Pump Refurbishment in the amount of \$30,000 will be deferred until the year 2023." A friendly amendment to the motion to amend, with approval of the mover and seconder, was made by deferring the Owen Park Well Pump Refurbishment until 2020 instead of 2023. Said motion as friendly amended passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Emmanuelle, Gragert, Strobel, Weld and Werthmann. Nay: Council Member Christopherson.

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Gragert “to amend the 2019-2023 Capital Improvement Plan for Fund 450 Parks & Recreation by adding \$100,000 in 2019 to relocate Locomotive 2719 from Duluth, Minnesota to Eau Claire, Wisconsin. To accommodate this new project the following adjustments will be made to the 2019-2023 Capital Improvement Plan:

<u>Fund</u>	<u>Project #</u>	<u>Description</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>Total</u>
<b><u>Manager Recommended</u></b>								
410	410-004	Support Beam Painting - O'Brien Rink	-	90,000	-	-	-	90,000
412	412-005	Design & Installation of Lily Pad Walk	<u>120,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>120,000</u>
			120,000	90,000	-	-	-	210,000
<b><u>Proposed Amendment</u></b>								
410	410-004	Support Beam Painting - O'Brien Rink	-	-	-	90,000	-	90,000
412	412-005	Design & Installation of Lily Pad Walk	20,000	100,000	-	-	-	120,000
450	TBD	Relocation of Locomotive	<u>100,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>100,000</u>
			120,000	100,000	-	90,000	-	310,000

Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Christopherson, Emmanuelle, Gragert, Strobel, Weld and Werthmann.  
Nay: Council Member Berge.

A vote was then taken “to adopt the resolution as amended.” Said motion passed by unanimous vote.

## FINAL CONDOMINIUM PLAT

The City Council considered a resolution approving the final condominium plat for Salsbury Flats Condominiums, located on the northwest corner of West Grand Avenue and Oxford Avenue (File P-9-18). Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Berge “to adopt the resolution.” Said motion passed by unanimous vote.

Council Member Emmanuelle left Council Chambers.

## STREET VACATION

The City Council considered a resolution vacating a portion of Starr Avenue and Melby Street from 205 feet south of Melby Street to 183 feet east of Starr Avenue. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Strobel “to adopt the resolution.” Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Christopherson, Gragert, Strobel, Weld and Werthmann. Absent: Council Member Emmanuelle.

## **RESOLUTION OF SUPPORT**

Council Member Emmanuelle returned to Council Chambers.

The City Council considered a resolution indicating support for the UW-Eau Claire Science and Health Sciences building project. Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Emmanuelle “to adopt the resolution.”

Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Beaton “to amend the resolution” by adding a final “WHEREAS” clause as follows:

**WHEREAS**, state support for a new Science and Health Sciences building at UW-Eau Claire would allow for the construction of a state of the art facility that embodies the university’s commitment to environmental sustainability and technological innovation, replacing one of the most inefficient buildings on campus; and by adding a final “BE IT FURTHER RESOLVED” clause as follows:

**BE IT FURTHER RESOLVED** that the Eau Claire City Council encourages the construction of a building that achieves high energy efficiency and environmental standards, in keeping with sustainability goals shared by UW-Eau Claire and the City and recognizing the significance of the proposed building site neighboring the Putnam Park State Natural Area and the scenic Chippewa River.

Said motion passed by unanimous vote.

A vote was then taken “to adopt the resolution as amended.” Said motion passed by unanimous vote.

Vice President/Acting Council President Werthmann called a brief recess at 5:55 p.m.

Council Member Strobel left Council Chambers and the meeting.

Council reconvened at 6:01 p.m.

## **ZONING**

The Council considered an ordinance rezoning the Salsbury Flats Condominiums property located at 302 West Grand Avenue from RM to RM-P (File Z-1633-18). Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Berge “to adopt the ordinance.” Said motion passed by unanimous vote.

## **ANNEXATION**

The Council considered an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 14th Assessment Ward, 4<sup>th</sup> Aldermanic District, being a part of the Northwest ¼ of the Northeast ¼ of Section 14-27-10, Town of Union, Eau Claire County, as shown on Planning Drawing No. 18-3A (Prissel Petition). Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Anderson “to adopt the ordinance.” Said motion passed by unanimous vote.

### **PUBLIC EXCESSIVE INTOXICATION**

The Council considered an ordinance creating section 9.52.045 entitled “Public Excessive Intoxication”, creating section 9.36.015 entitled “Community Nuisance”, amending section 1.24.030 entitled “Deposit Schedule”, and amending section 9.36.020 entitled “Violation – Penalty” of the City Code of Ordinances. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld “to adopt the ordinance.” Said motion passed by unanimous vote.

### **CONVERSION THERAPY PROHIBITED**

The Council considered an ordinance creating Chapter 8.08, entitled “Conversion Therapy Prohibited”, of the Code of Ordinances of the City of Eau Claire. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Christopherson “to adopt the ordinance.” Said motion passed by unanimous vote.

### **KEEPING OF HONEY BEES**

The City Council had first reading on an ordinance amending Chapter 6.14, entitled “Keeping of Honey Bees” of the Code of Ordinances of the City of Eau Claire.

### **PENALTIES FOR TRAFFIC VIOLATIONS**

The City Council had first reading on an ordinance amending section 10.44.070, entitled “Late Payment Penalty” of the City Code of Ordinances related to Penalties for Traffic Violations.

### **ADJOURNMENT**

A motion was offered by Council Member Beaton and seconded by Council Member Gragert “that this meeting does now adjourn without objection.” Said motion passed by unanimous consent.

Adjournment: October 9, 2018

Time: 6:29 p.m.

ATTEST:

/s/ Andrew F. Werthmann  
Vice President/Acting President

/s/ Carrie L. Riepl  
City Clerk